

Whither the Health Care Reform Bill

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March 23rd was the one year anniversary of the passage of the health care reform bill. This date came and went with very little fanfare or media attention. The anniversary was overlooked partially because of the import of today's issues including the no fly zone in Libya, the aftermath of the tsunami in Japan and the ongoing budget fights in Washington, but it was also overlooked because a year after its passage, it is increasingly clear that the health care bill may not have been as significant as it seemed, and was presented, at the time. The text messages sent from the Obama political operation celebrating the anniversary of this bill, and suggesting its historic significance, largely served to underscore that a year after passage, the health care reform bill is not really historic at all.

Although not all of the components of the health care bill have come into effect yet, it is clear that bill will neither push the US down the road not socialism, nor make affordable and decent health care available to all Americans. The bill may have a modestly positive effect by encouraging a few more Americans to buy health insurance, or by keeping some Americans from losing their health care due to preexisting conditions. It will also likely have some consequences that were not foreseen a year ago. Health care companies may become more politically powerful as they gain more clients; or legal challenges may continue to reshape the bill. In general, a year after its passage, it is apparent that this bill will not radically reshape life in America, but will be part of the ever changing and increasingly complex legal framework in which health care is delivered in the US.

As the health care debate of 2009-2010 recedes into history, we can see that the debate was important primarily for political reasons. Passage of the health care bill did not revolutionize health care the way, for example, the Civil Rights and Voting Rights Acts in the 1960s revolutionized race relations. Instead, the health care debate energized the Tea Party movement and changed the face of American politics, contributing heavily to the major Republican victory in the 2010 election. To some extent, the passage of the health care bill also revived a struggling Obama administration as they demonstrated that they were able to get something done.

The notion that a year after its passage the primary impact of the health care bill has been political rather than substantive is indicative of broader problems with the American political system and is further evidence that the American political elite is now much more comfortable with, and better at, politics than governance. The health care debate featured name-calling, doomsday scenarios, dramatic overstatement on both sides, and descriptions of the bill that overstated its import to an extraordinary degree. Both sides played the politics very well and were very comfortable doing that. However, the result

was that a deep problem in American society, rather than being addressed concretely was papered over by a bill that may not change very much.

Unfortunately, the triumph of politics over governance is not limited to the health care debate. On the contrary, it is now the norm for most domestic issues ranging from the budget deficit to the economy and most other major concerns. By focusing on politics rather than governance, politicians emphasize taking strong positions, defending the righteousness of their beliefs and either stubbornly refuse to compromise, or compromise not for the sake of a good bill but because it allows politicians to present themselves as pragmatic. The pragmatism is often empty because it is the result of compromise for its own sake rather than resolving questions in a way that gives something to both sides but keeps an eye on a useful outcome.

Politicians have always looked primarily to the next election, so this is not an entirely new development. What makes it new is that politicians, at least on the national level, no longer see passing good laws or governing well as an important key to winning future elections. Thus, the fight around the health care bill became the most important story as both parties presented a narrative that worked for their short term needs. The Republicans screamed about socialism and tried to block everything before eventually failing in that endeavor. The Obama administration, for its part, was willing to bargain away most of the important parts of the bill so that they could position themselves as the pragmatists and the party willing to get something done. At least, in the short run, this did not work out well for the administration, but it may yet be too early to tell.

The first anniversary of the passage of the health care bill is not an opportunity to recognize a historic victory, but another reminder of the depressing and dysfunctional state of governance in the US. It is a reminder of how difficult solving the problems facing the US will be in a climate where political positioning rather than governance, has become almost the only driving force behind our political institutions and debates.